

# bulletin



CONTENTS THE SECOND DECADE	Address by Secretary of State	523
THE U. S. POSITION ON DISARMAMENT	by Ambassador James J. Wadsworth	530
TRADE AND THE FREE WORLD	by Harold E. Stassen	535
PRINCIPLES OF ANTITRUST POLICY TOWARD FOREIGN TRADE AND INVESTMENT	Statement by William F. Taft	538

See inside back cover



# *The Department of State* bulletin

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## Entering the Second Decade

*Address by Secretary Dulles<sup>1</sup>*

It is always a pleasure for me to return to this great Assembly—this center for harmonizing the actions of nations. My pleasure today is especial. Not only will this session round out a decade of United Nations effort, but there are welcome signs that the second decade may in fact be more harmonious than was the first. Surely it is in our power to make it so.

We can feel that confidence because we see the nations becoming more and more sensitive to the moral verdicts of this organization. This Assembly is a hall of understanding, and thus of hope. It is also a hall of judgment. Here the nations of the world expound, explain, and defend their international policies. In the process, national purposes are disclosed and oftentimes altered to meet the opinions that are reflected here. Sometimes true purposes are sought to be concealed. But this Assembly has a way of getting at the truth.

The perceptions and the moral judgments of the nations meeting here endow this Assembly with genuine power. No nation lightly risks the Assembly's moral condemnation, with all that such condemnation implies.

### **The Problem of Membership**

This fact—that our organization's power derives largely from moral judgments formed here—illuminates the problem of membership. It shows how essential it is that there should be here all of those eligible nations which, by their policies and conduct, have demonstrated their devotion to the purposes and principles of the charter.

<sup>1</sup> Made before the U.N. General Assembly on Sept. 22 (press release 558).

Today we have a wide and important membership. But about a score of sovereign nations are not represented here. Most of them meet the membership tests of our charter. They are peace-loving, and they have shown themselves able and willing to carry out the charter's obligations. Their governments could reflect here important segments of world opinion.

To block the admission of such nations by use of the veto power is not only a grave wrong to them; it is also a wrong to this organization and to all of its members.

I hope that, during this Tenth Session, action will be taken by the Security Council and by this Assembly to bring these nations into our membership. Thus, the United Nations would enter its second decade better equipped to serve mankind.

### **Charter Review**

This Tenth Session of ours must deal with the question of a charter review conference. That is mandatory under the charter.

The United States believes that such a conference should be held. One impelling reason would be to reconsider the present veto power in relation to the admission of new members, particularly if that veto power continues to be abused.

Also, epochal developments in the atomic and disarmament fields may make it desirable to give this organization a greater authority in these matters. They are vital to survival itself. When the charter was drafted, none knew of the awesome possibilities of atomic warfare. Our charter is a pre-atomic-age charter.

Our founders believed that, after 10 years, the charter should be reviewed in the light of that first decade of experience. I believe that they

were right. That does not necessarily mean that drastic changes should be made. On the whole, the charter has proved to be a flexible and workable instrument. But few would contend that it is a perfect instrument, not susceptible to improvement.

The United States believes that this session should approve, in principle, the convening of a charter review conference and establish a preparatory commission to prepare and submit recommendations relating to the date, place, organization, and procedures of the General Review Conference.

Let me turn now to some of the events which have occurred since last December, when the Ninth Session adjourned. On balance, these developments have contributed notably to the advancement of our charter goals of international peace and security in conformity with the principles of justice and international law. I shall allude only to those events where United States policy has played a part, usually in partnership with others.

#### **Germany and Austria**

Turning first to Europe, we see that the Federal Republic of Germany has become a free and sovereign state by treaties concluded with it by France, Great Britain, and the United States. Concurrently, the Federal Republic joined the Brussels and North Atlantic Treaties. Also, the Brussels Treaty was itself made over so that, in combination with the North Atlantic Treaty Organization, there was developed an effective system of limitation, control, and integration of armed forces, the like of which the world has never seen before.

This system insures against the use of national force in the Western European area for aggressive and nationalistic purposes. The arrangements provide security, not only for the participants but also for the nonparticipants. They end the conditions which have made Western Europe a source of recurrent wars, the last two of which have developed into world wars, endangering all.

Never before have collective security and individual self-restraint been so resourcefully and so widely combined. The result can be hailed as a triumph by all who believe in the dual principle of our charter, that security is a collective task and that "armed force shall not be used, save in the common interest."

As a sequence to these developments regarding Germany, Austria became free. The Austrian State Treaty, which had been pending for 8 years, was signed last May and now is in effect. Thus are finally fulfilled pledges given by the Moscow Declaration of November 1943 and hopes which this General Assembly expressed at its Seventh Session.

It should be noted that the Austrian State Treaty, bearing the Soviet Union's signature, contemplates support for Austria's admission to the United Nations.

#### **The Geneva "Summit" Conference**

Quickly following these German and Austrian developments came new efforts by France, Great Britain, the Soviet Union, and the United States to reduce the danger of war and to solve outstanding issues by negotiation.

Last May the three Western Powers proposed a two-stage effort. The first stage would be a meeting of the Heads of Government themselves to provide "a new impetus" for a second stage, which would be that of detailed examination of the substance of the problems.

The first phase of the program occurred at Geneva last July when the four Heads of Government met. They clearly manifested their common desire for peace and better relations. Specifically they agreed that further efforts should be made in three fields, namely:

(1) European security and Germany; (2) disarmament; and (3) development of contacts between East and West.

Now, we enter on the agreed second stage, where the "spirit of Geneva" will be tested. A United Nations subcommittee is already discussing the Geneva ideas about disarmament. Next month, the Foreign Ministers of France, the United Kingdom, the Soviet Union, and the United States will meet at Geneva. The Western Powers will associate with them, where appropriate, the Federal Republic of Germany and their other NATO partners.

At the coming meeting, agreed priority will be given to the closely linked problem of the reunification of Germany and the problem of European security. This is as it should be.

The German people have now been forcibly divided for over 10 years. The perpetuation of this division is a crime against nature.

## German Reunification

Three-quarters of the Germans are in the Federal Republic, and they are fortunate in having a great leader, Chancellor Adenauer. He stands for a united Germany that will be peaceful and that will find its mission in friendly cooperation with its neighbors. He is determined that Germany's legitimate needs for security and sovereign equality shall be met without a revival of German militarism.

It would, however, be a tragic mistake to assume that, because most of the Germans now have chosen that enlightened viewpoint, the injustice of dividing Germany can therefore be perpetuated without grave risk.

There are many nations who feel that their own future security and world peace urgently require that Germany should be reunited and enabled, if it so desires, to become a party to the Western European arrangements for limitation, control, and integration of armed forces, so that they can never serve an aggressive purpose. There are others who profess to feel that a united Germany within NATO would endanger them even under these conditions.

To bridge this difference, the Western Powers are ready to advance some overall plan of European security which would give the Soviet Union substantial additional reassurances. The conjunction of this attitude of the Western Powers with the like mood of the Federal Republic of Germany provides an unprecedented opportunity. But the German mood which I describe may not always persist. Also, it cannot be assumed that the Western Powers, including the United States, will always be ready to enlarge their present commitments to meet Soviet concern about European security.

The present opportunity is so unusual and so full of constructive possibilities that it can be hoped that the forthcoming four-power Foreign Ministers Meeting will find a solid basis for the reunification of Germany within a framework of European security.

## The Satellites and International Communism

At Geneva President Eisenhower mentioned two causes of international tension which were not accepted for the agenda of the conference. The first was "the problem of respecting the right of

peoples to choose the form of government under which they will live." As to this, he said that "the American people feel strongly that certain peoples of Eastern Europe, many with a long and proud record of national existence, have not yet been given the benefit of this pledge of our United Nations wartime declaration, reinforced by other wartime agreements."

President Eisenhower also raised the problem of international communism. He said that for 38 years this problem has disturbed relations between other nations and the Soviet Union. It is, indeed, difficult to develop really cordial relations between governments when one is seeking by subversion to destroy the other. The head of the Soviet Government took the position that these problems were not a proper subject of discussion at the Geneva conference. Nevertheless, the eyes of much of the world will remain focused upon these two problems. What, in fact, the Soviet Union does about them will, to many, be a barometer of the Soviet's real intentions.

If the "spirit of Geneva" is genuine and not spurious, if it is to be permanent and not fleeting, it will lead to liquidating abnormal extensions of national power, which crush the spirit of national independence, and to the ending of political offensives aimed at subverting free governments.

## The Organization of American States

Turning now from Europe to this hemisphere of the Americas, we find the Organization of American States continuing to demonstrate how the purposes and principles of the United Nations can be effectuated through regional arrangements for collective self-defense. The organization's general meetings have promoted political understanding and economic and social cooperation. On three occasions within the last 15 months, in relation to Guatemala, to Costa Rica, and now in relation to the Ecuador-Peru boundary dispute, the organization has acted promptly and effectively to maintain international order. Its activities in this field have been fully reported to the Security Council, pursuant to our charter.

## The Near East

In the Near East the situation remains troubled. It has been difficult to assure the sanctity of the

armistice lines established in 1948 under the auspices of the United Nations to end the fighting between Israelis and Arabs. The United States desires to pay high tribute to those who, during these troubled days, have been serving the United Nations, and particularly to General Burns of Canada and his associates.

On August 26 of this year, I addressed myself to certain fundamental aspects of this situation.<sup>2</sup> I said that if the parties desired a stable settlement, they could, I thought, be helped from without. I had in mind financial assistance in relation to the problem of Arab refugees, and of irrigation projects which would enable the people throughout the area to enjoy a better life. I also spoke of the importance of bringing greater security to the area. I said that, if nations from without the area made clear their readiness to contribute to these three essential aspects of a settlement, it might then be more possible to bring order, tranquillity, and well-being to the area itself.

President Eisenhower authorized me to say that he would recommend participation by the United States in these monetary and security commitments, if this were desired by the governments directly concerned and on the assumption that action wherever feasible should be on an international basis, preferably under the auspices of the United Nations.

The United Kingdom immediately associated itself with these United States suggestions. A number of other countries have also indicated their support.

If there is a favorable response from the Near Eastern countries, many aspects of this problem would eventually come to the United Nations for its action at some future session.

#### **The Far East**

During the past year the fabric of peace in the Far East was strengthened by the coming into force of the Southeast Asia Collective Defense Treaty. An organizational meeting of the Treaty Council was held at Bangkok toward the end of February at the ministerial level.

This security arrangement is unique. It marks the first time that any considerable number of countries have banded together, in eastern Asia, for collective self-defense. There are eight parties to the treaty, which, in addition, applies to Cam-

bodia, Laos and Free Viet-Nam. Also, the arrangement draws together western and Asian countries. This would not have been possible had not all the parties firmly committed themselves to the principle of political independence and self-determination. This commitment is found both in the preamble to the treaty and in the concurrent Pacific Charter, which reflects the aspirations of men everywhere to be free.

The Southeast Asia Treaty does not envisage the establishment of a combined military organization comparable to that which has grown up under the North Atlantic Treaty. The conditions in the area do not readily lend themselves to the creation of a treaty force, in being and in place. Primary reliance is placed on the agreement of the eight signatories to treat any armed aggression in the treaty area as a common danger to each party, calling for action on its part. That pledge will, we believe, work powerfully to deter aggression.

#### **China**

In the China area the situation is somewhat less ominous than it was. We hope that the Chinese People's Republic will respond to the manifest will of the world community that armed force should not be used to achieve national objectives.

The record of this Communist regime has been an evil one. It fought the United Nations in Korea, for which it stands here branded as an aggressor. It took over Tibet by armed force. It became allied with the Communist Viet Minh in their effort to take over Indochina by armed force. Then, following the Indochina armistice, it turned its military attention to the Taiwan (Formosa) area. It intended to take this area by force and began active military assaults on its approaches, which assaults, it claimed, were a first step in its new program of military conquest.

This constituted a major challenge to principles to which the United States is committed by our charter. It was also a direct and special challenge to the United States itself. We have a distinctive relationship to these islands, a relationship which is reinforced by a mutual defense treaty with the Republic of China covering Taiwan and Penghu [the Pescadores].

At this point, on January 24, 1955, President Eisenhower asked the Congress of the United States for authority to use the armed forces of the

<sup>2</sup> BULLETIN of Sept. 5, 1955, p. 378.

United States in the defense of Taiwan and Penghu and related areas which the President might judge as appropriate to that defense. After full hearings in the House and the Senate of the United States, the requested authority was granted. In the House the vote was 409 to 3, and in the Senate the vote was 85 to 3. The authority terminates whenever peace and security of the area are reasonably assured by international conditions created by action of the United Nations or otherwise.

I am convinced that this timely warning, given with solid, virtually unanimous, national concurrence, served to prevent what could have been a dangerous miscalculation on the part of the Chinese Communists.

Thereafter the Bandung conference was held. There again the peace-loving nations—many of them members of the United Nations—made clear to the Chinese Communists their adherence to our charter principle that states should refrain in their international relations from the threat of force.

From the site of the Bandung conference, Mr. Chou En-lai proposed direct discussions with the United States, a proposal which I promptly indicated was acceptable to the United States so long as we dealt only with matters of concern to the two of us, not involving the rights of third parties. That reservation applies particularly, so far as the United States is concerned, to the Republic of China, to which we are loyal as to a long-time friend and ally.

Shortly thereafter the Chinese Communists released 4 and, later, the other 11 of the United States fliers of the United Nations Command whom it had been holding in violation of the Korean Armistice Agreement. This release had been sought by resolution of this General Assembly adopted last December. The outcome justified the confidence which the United States had placed in the United Nations and our restraint in the use or threat of our own national power.

Some 15 months ago the United States had started talks with the Chinese People's Republic at Geneva with regard to getting our civilians home. As a result of the Bandung statement made by Mr. Chou En-lai and my reply, these talks were resumed last August, to deal first with the topic of freeing civilians for return and then with other practical matters of direct concern to the two of us.

All Chinese in the United States who desire to

return to their homeland are free to do so. They have always been free to do so except for a few who were temporarily prevented by restrictions arising out of the Korean war. The Chinese People's Republic has now declared that all Americans on the China mainland have the right to return and will be enabled expeditiously to exercise that right.

For the favorable trend of events to which I refer, thanks are due to many. Our Secretary-General worked assiduously to bring about the release of United States fliers of the United Nations Command.<sup>3</sup> Other governments and individuals were helpful in this and other matters. The will of the world community may have operated to avert another war, the scope of which could not surely be limited.

### Atoms for Peace

Last year I spoke of the peaceful uses of atomic energy. We had gone through a period of disappointing negotiations to secure the participation of the Soviet Union in the program presented to you by President Eisenhower on December 8, 1953. In the face of a negative Soviet attitude, we had resolved nevertheless to go ahead.

Last September I mentioned four activities which we promised to commence immediately. Since that time, we have made good progress in each of these fields.

The negotiations for establishment of an International Atomic Energy Agency have led to the preparation of a draft statute establishing such an agency.

An International Conference on the Peaceful Uses of Atomic Energy was held with outstanding success last month at Geneva. This conference was so successful that the United States will again propose a similar conference to be held in 3 years or earlier if the increasing development of the peaceful uses of atomic energy will so warrant.

The first reactor training course at our Argonne National Laboratory is nearing completion, and an enlarged course is about to begin.

Distinguished doctors and surgeons from other countries are visiting our hospitals and research establishments where atomic energy is used for the cure of cancer and other diseases.

The Soviet Union is now taking a more coopera-

<sup>3</sup> For text of a report by the Secretary-General, see *ibid.*, Sept. 26, 1955, p. 512.

tive attitude, and we gladly note the recent offer of Premier Bulganin to set aside fissionable material for the work of the proposed International Agency when it comes into existence.

Much has happened, we see, to give reality to the vista of hope which President Eisenhower portrayed when he spoke to our Eighth Session.

#### **Radiation Study**

The United States also plans at this session to propose the establishment of an international technical body on the effects of atomic radiation upon

#### **Statement by Henry Cabot Lodge, Jr. U.S. Representative to the United Nations**

U.S./U.N. press release 2204 dated September 18

If the United Nations Assembly, which opens next Tuesday [September 20], agrees to President Eisenhower's "open sky" plan for mutual aerial inspection and exchange of blueprints of the nations' military installations, it will be unique and historic. This plan would end the specter of a massive surprise assault which has haunted the world since the end of World War II and which has been one of the greatest causes of world tension. This would lead the way to the utmost limits of mutual disarmament for which the free world yearns.

human health. It would be composed of qualified scientists who would collate and give wide distribution to radiological information furnished by states members of the United Nations, or specialized agencies.

The United States is itself giving much study to this matter. We believe that properly safeguarded nuclear testing and the development of peaceful uses of atomic energy do not threaten human health or life. But this is a subject of such transcendent concern that we believe that all available data should be sought out and pooled under United Nations auspices.

#### **Limitation of Armament**

On July 21st of this year, at Geneva, the President of the United States took still another major initiative. Dealing with disarmament, and addressing himself for the moment principally to the delegates from the Soviet Union, he proposed that, as a beginning, each of our two nations should provide the other with information as to its mili-

tary establishments and with facilities for unrestricted aerial reconnaissance of the other.

The logic of this proposal is simple and clear. Major aggression is unlikely unless the aggressor can have the advantage of surprise and can hope to strike a blow which will be devastating because unexpected. But the preparation of an attack of such magnitude could hardly be concealed from aerial inspection. Aerial inspection would not, of course, detect everything. We do not think of it as itself a final comprehensive system of inspection. But aerial inspection would detect enough to exclude the greatest risk. Because it would do that, it would open the way to further steps toward inspection and disarmament which we all, and I emphatically include the United States, want to see taken.

Long experience makes it apparent that, when there is a sense of insecurity, when there is an ominous unknown, then arms seem needed and limitation of armament becomes virtually unattainable. Reductions of armament occur when fear is dissipated, when knowledge replaces exaggerated speculation, and when in consequence arms seem less needed.

It was, I believe, immediately sensed by all that, if the United States were to permit Soviet overflights of its territory and if the Soviet Union were to permit the United States overflights of its territory, that would go far to show that neither had aggressive intentions against the other. Then, as President Eisenhower pointed out in his plea at Geneva, it would be easier to move on to a comprehensive, scientific system of inspection and disarmament. The essence of the President's proposal was that it would, as a beginning, do what is required of a beginning; namely, make it more possible to take subsequent steps.

I hope that the sentiment of this General Assembly will make clear that this beginning should be made as simply as may be and as quickly as may be. From such a beginning can come, and I believe will come, solid advance toward our charter goal of reducing the "diversion for armaments of the world's human and economic resources." Then we can realistically look forward to fulfilling the desire close to the hearts of all our people—a desire voiced by President Eisenhower at our recent meeting in San Francisco—that more of this earth's resources should be used for truly constructive purposes, which would particularly benefit the underdeveloped areas of the world.

## A Decade for Peaceful Change

It was 10 years ago last month that the fighting stopped in World War II. We have lived through the subsequent decade without another world war. That is something for which to be profoundly thankful. But true peace has not been enjoyed. There have been limited wars; free nations have been subverted and taken over; there has been the piling up of armament, and the rigidities of position which are imposed upon those who regard each other as potential fighting enemies.

That phase may now be ending. I believe that all four of the Heads of Government, who were at Geneva, wanted that result and that each contributed to it. In consequence, a new spirit does indeed prevail, with greater flexibility and less brittleness in international relations.

Some find it interesting to speculate as to which nations gained and which lost from this development. I would say that if the "spirit of Geneva" is to be permanent, then all the world must be the gainer. The "summit" meeting, if it is to be historic rather than episodic, must usher in an era of peaceful change.

It will not be an era of placidity and stagnancy, in the sense that the *status quo*, with its manifold injustices, is accepted as permanent. It will be an era of change, and it will have its strains and its stresses. But peoples and governments will renounce the use of war and of subversion to achieve their goals. They will accept orderly evolution toward the realization of legitimate national aspirations. They will develop wider economic intercourse among themselves. They will increasingly respect human rights and fundamental freedoms. And human effort will be dedicated to what is creative and benign.

The United Nations, too, will change. Given good will and mutual confidence, many provisions of the charter will gain new meaning and new vitality.

Let us together strive that the next decade shall be known as the healing decade of true peace.

## William H. Jackson Appointed Special Assistant to Secretary

Press release 554 dated September 19

William H. Jackson of New York has been appointed, effective September 19, 1955, as a Special Assistant to the Secretary of State to coordinate within the U.S. Government the development of U.S. positions for phases of the Foreign Ministers meeting at Geneva pertaining to East-West contacts and exchanges.

## Eighth Anniversary of Death of Bulgarian Patriot

*Statement by Under Secretary Hoover<sup>1</sup>*

Eight years ago tomorrow Nikola Petkov, a great Bulgarian patriot, was hanged in Bulgaria. After a trial which made a mockery of justice, he was judicially murdered on September 23, 1947, in order that communism in his country might triumph.

Nikola Petkov was a courageous liberal and a valiant defender of democracy in his country. His countrymen will never forget the boldness and selflessness with which he and his colleagues fought Communist injustice even after their cause seemed lost. That the Communist press in Bulgaria should finally have described his death as an "imperative state necessity" is striking evidence of the vigor of his struggle.

Although Nikola Petkov's voice and pen have been silenced, his spirit still lives. His devotion to the cause of justice and democracy will ever serve as inspiration to his countrymen and to all liberty-loving people who look forward to the day when the captive peoples can once again live in freedom under governments of their own choosing.

<sup>1</sup> Made on the eighth anniversary of the death of Nikola Petkov (press release 559 dated Sept. 22).

## The U.S. Position on Disarmament

by James J. Wadsworth

Deputy U.S. Representative to the United Nations<sup>1</sup>

At Geneva, 2 months ago, the Heads of State of France, the United Kingdom, the Soviet Union, and the United States met for the first time in 10 years. That meeting was marked by the emergence of a new climate in international affairs which has become known as the spirit of Geneva.

This spirit depends largely upon the intentions proclaimed by the Soviet Union, together with the rest of us, to seek new ways to ease international tensions and lift the fear of war.

The spirit of Geneva could amount to no more than a cruel illusion unless it is translated into deeds. In a still agonized world, there is no lack of troubles in which it can be put to the test. In Eastern Europe, nations with a proud history of freedom are not free; subversion and conspiracy are still active throughout the world; ancient states remain divided.

The birth and growth of a sovereign and democratic Germany, its contribution to collective security, and its progress under Dr. Adenauer to its rightful place in the comity of nations, recognized by other states, including the Soviet Union, can only strengthen the spirit of Geneva. But so long as all Germans are unable to voice the national will in free elections and while Germany remains partitioned, the spirit of Geneva cannot find full expression.

In the United Nations the spirit of Geneva will find still other testing grounds. In the first General Assembly since the Geneva meeting, the peoples of the world are preparing to observe its workings in a broad range of issues.

Already the meetings of France, Canada, the United Kingdom, the Soviet Union, and the

United States in the subcommittee of the United Nations Disarmament Commission are providing a first and a most important test.

I propose to speak today about these discussions and particularly about the new U.S. position in the subcommittee meetings.

As you are all aware, President Eisenhower at Geneva on July 21 presented a new and historic American proposal.<sup>2</sup> That proposal called for the exchange of blueprints of military information between the United States and the Soviet Union, to be verified by mutual aerial reconnaissance. These blueprints would include: first, the identification, strength, command structure, and disposition of personnel, units, and equipment of all major land, sea, and air forces, including organized reserve and para-military; second, a complete list of military plants, facilities, and installations with their locations.

Later, in the subcommittee, Harold E. Stassen, the President's Special Assistant for Disarmament, presented a U.S. Government outline plan for putting the President's proposal into immediate effect. This plan makes provision, among other things, for unrestricted but monitored aerial reconnaissance by visual, photographic, and electronic means; for freedom of communications; for the presence aboard inspecting aircraft of personnel of the country being inspected; for simultaneous delivery of similar types of information by each participating government; and for many other essentials.

One noteworthy provision is for the presence of ground observers in each country to assist in verifying the exchange of military information. Now the proposals of the Soviet Union for arms

<sup>1</sup> Address made before the Foreign Policy Association, New York, N. Y., on Sept. 16 (U.S./U.N. press release 2203).

<sup>2</sup> BULLETIN of Aug. 1, 1955, p. 173.

control as put forward on May 10 of this year<sup>a</sup> included something similar in calling for observers at large ports, airdromes, railway junctions, and highways. These proposals do not clearly establish the right of the inspectors to move about freely and to see the things they must see. They are vague in identifying the things which are to be inspected. And most important, they do not yet contemplate or permit aerial reconnaissance. Without aerial reconnaissance the United States believes that reasonable security against surprise attack or aggression is impossible.

#### Prevention of Surprise Attack

The great boon of the President's plan is precisely that it provides against the possibility of great surprise attack. While it is in operation no state which participates in it could hope to launch a successful attack upon another state with nuclear or any other weapons. If we can exorcise the specter of such a surprise attack by any major nation or involving any major nation, we may be able to prevent war itself.

We may be able to convert the arms burden the world now bears into higher living standards for humanity, and we may devote the peaceful benefits of atomic energy to the advancement of all peoples.

Not only is it desirable to shackle surprise attack; it is also, as soldiers and scientists in many countries now agree, probably the only way now open to us to achieve the kind of international control of arms and armed forces on which peoples could rely.

I shall explain why this is so.

At the present time there is no known method through which an inspection and control system could account for the complete elimination of nuclear weapons. At any given time some current or nuclear production and much past production can be hidden away beyond the range of detection, even by the most modern devices. This secret store could be used for illicit fabrication of atomic weapons, and these weapons could be used for sudden assault on unsuspecting nations.

So far as the United States knows, no other government and no other scientists have been yet able to discover a means to inspect and keep track of all fissionable material within an acceptable margin of error. The Soviet Government itself,

in its May 10 proposals and at Geneva and in the current meetings of the subcommittee, has recognized the limitations on the effectiveness of control over nuclear weapons material.

I am able to tell you here today that some of our most eminent scientists are now engaged in a new stepped-up effort to achieve a breakthrough to some new measure to control nuclear matter more effectively. But while that search continues, the problem grows yearly more difficult and more awesome as stocks pile up and the means for delivering an attack are multiplied.

The United States is striving to find an answer before the arms race reaches a point of no return. The massive reconnaissance urged by President Eisenhower could halt this ominous drift. It will also enable us to make progress in the vital field of inspection.

In any system of international control of armaments the role of inspection is paramount. Without reliable inspection it is impossible to construct a system in which nations can put their trust. Without it no nation could be expected to reduce its strength in accordance with an international agreement. Even Marshal Bulganin has said that disarmament really "boils down to inspection."

The new situation with respect to nuclear materials has transformed the problem of inspection and with it many of the fundamentals of arms control.

#### Need for Reappraisal

The United States therefore believes it to be the course of realism—and an honest course—to place a reservation upon the positions so far reached in the United Nations deliberations. In asserting this reservation in the subcommittee, Mr. Stassen has stressed that we do not reject or disavow our past policies, nor do we reaffirm them in blanket fashion. We do believe they must be reappraised.

We are firmly convinced—and in this all of the Western nations in the subcommittee seem agreed—that, before the project for arms reductions worked out earlier in the United Nations or any other schedule of arms reduction is applied, there must be agreement upon an effective system of control and inspection.

The United States wishes, in concert with other nations and in the new atmosphere since Geneva, to explore and develop means of inspection appro-

<sup>a</sup> *Ibid.*, May 30, 1955, p. 900.

priate to the new situation. The adoption of the President's plan would go very far toward rebuilding international confidence, without which the installation of a reciprocal, permanent inspection system is almost impossible. For upon the day that the two major nuclear powers decided to open up to each other, upon that day the security of the world would be increased. In the general environment of suspicion countries have not agreed to give inspection a fair trial, except upon a series of conditions which none has yet been able to grant. President Eisenhower's proposal could, at one stroke, rescue arms control from this vicious cycle.

Despite the bold sweep of the President's plan and the seal it would set against war, it is not intended to be the whole answer to the quest for disarmament. The President himself declared, when he launched his prodigious idea, that "what I propose is, I assure you, but a beginning."

Our concentration upon the President's concept and our determination to make a new start in the subcommittee in the spirit of Geneva should not for a moment cause us to lose sight of the objective. Let me say categorically and emphatically just what this is.

The United States is pledged to work for, earnestly desires, and energetically seeks a comprehensive, progressive, enforceable international agreement for the reduction of arms, armaments, and armed forces. This program would incorporate the results of the latest studies in this country and abroad.

The President's plan is a first step—a crucial one, but only a first step toward such a program. It is, as Governor Stassen has told the subcommittee again and again, a "gateway to disarmament." It is not intended to be a substitute for an overall arms plan. It is intended to make one possible.

It is not an exclusive step. Our colleagues in the United Nations, Britain and France, have put forward suggestions of merit. These, too, will aid in the effort to lift the arms burden and to secure peace.

This then is the philosophy back of the U.S. position. Suspicion has blocked acceptance of and cooperation in an all-out disarmament and inspection plan of the type one could consider truly secure. We want to provide relief from that suspicion by offering a simple means of mutual disclosure and verification to the Soviet Union to

prove to them and to the world that we are ready to lay bare our military potential for the common cause of peace if they will do the same.

This is the prelude which should precede the main body of limitations and reductions of armaments. If the Soviets should reject this offer the insincerity of their professions in favor of disarmament will be exposed.

Where does this leave the United States? Are we euchred into a position of accepting unrealistic and unsound proposals? Are we caught in a web of halfway beliefs and promises? Far from it. We are in a position to say to the Soviets, in concert with our friends: "Here is the test of sincerity. If you want real reduction of armaments, then you will accept the principle of doing these things in plain sight of one another. If we have nothing to hide, you should have nothing to hide."

I cannot predict the future of this plan and of this great opportunity for mankind. We hope that the General Assembly of the United Nations on behalf of the anxious multitudes it represents will record its approval of the President's plan during its current session.

#### Two Alternatives

Two alternatives loom on the troubled horizon of international cooperation:

First: The Soviets accept the principle of the Eisenhower plan. This will lead through many a hard month of guiding negotiation as to details, but it will mean the final breakthrough of peace-loving man toward the ideal of tranquillity for the world.

Second: The Soviets reject the principle of the Eisenhower plan, thereby plunging the world into still another round of the Ballet Russe, but while doing that, demonstrating in awful clarity the utter bankruptcy of their position and the falsity of the attitude which has led to this so-called Geneva spirit.

Let me close by recalling both the fallibility and the indestructibility of human beings. In spite of all the disappointments, all the frustrations, all the times we have fallen on our faces, we always get up and keep on plugging. Sometimes our efforts have earned little more than a sneer; sometimes the god Mars has blasted our hopes and ambitions. But everlastingly mankind is pushing on toward the abandonment of war as an instrument

of national policy. Doggedly, stubbornly, sometimes stupidly, we grope toward the ultimate solution. But we will get there. Mark my words, we will get there!

I do not know what the Soviet Union will do. I have spent many months this year and last debating disarmament issues with Mr. Gromyko and Mr. Malik in the closed sessions of the United Nations Disarmament Subcommittee. I have followed the record of the current meetings in which Harold Stassen so ably represents the United States.

I can only say that I think that the spirit of Geneva is perceptibly influencing the Soviet approach if it has not yet materially altered their proposals. I do believe that the Soviet Union still has the President's plan under close and serious study.

All of us should be aware that the execution of the Eisenhower plan will confront the Soviet people as well as ourselves with undertakings of delicate and far-reaching character. Yet I know of no other plan which could create so much real security against surprise attack or give so great an easement of fear. We believe that we cannot do less.

The Soviet Union could give us the real measure of its willingness to lift the fear of war by doing as much. We are prepared to meet them halfway.

## **U.S. and Canada Review Air Routes Established by 1949 Agreement**

### **Announcement of Meeting**

Press release 553 dated September 19

The Department of State and the Civil Aeronautics Board announced on September 19 that they would convene in Washington that afternoon a meeting between the aeronautical authorities of the United States and Canada pursuant to a request of the Government of Canada for consultation to review the route pattern established by the 1949 Air Transport Agreement between the two Governments.<sup>1</sup> It is understood that the Canadian officials may also desire to discuss collateral matters not within the scope of the air agreement.

According to Ross Rizley, Chairman of the

<sup>1</sup> For an announcement of the signing of the 1949 agreement, see BULLETIN of June 12, 1949, p. 766. For text, see Treaties and Other International Acts Series 1934.

Civil Aeronautics Board and Chief of the U.S. delegation for these meetings, the Civil Aeronautics Board welcomes this opportunity to renew acquaintance with the Canadian Air Transport Board and to discuss problems of mutual interest. Joseph P. Adams, Vice Chairman of the Civil Aeronautics Board, will be Alternate Chief of the U.S. delegation. Other U.S. representatives will include Joseph C. Watson and Dorothy E. Thomas of the Civil Aeronautics Board; Henry Snowden, C. J. Kolinski, George Vest, of the Department of State; and Philip S. Bogart, U.S. Transport and Communications Attaché at the Embassy in Ottawa.

The Canadian delegation will consist of W. J. Matthews, Chairman of the Air Transport Board; A. D. McLean and J. L. G. Morisset, Board members; A. S. McDonald, Executive Director of the Air Transport Board; and James Brandy of the Department of External Affairs.

### **Exchange of Views**

Press release 561 dated September 22

The meeting between Canadian and U.S. civil aviation authorities which began on September 19 concluded on September 22. William J. Matthews, Chairman of the Air Transport Board, headed the Canadian delegation, while Joseph P. Adams, Vice Chairman of the Civil Aeronautics Board, headed the U.S. delegation.

A beneficial exchange of views took place on the developments in air transportation between the two countries. The existing route pattern established under the 1949 bilateral air transport agreement was reviewed. Suggestions for additional services between the western region of Canada and the United States are to be given further study.

An arrangement will be made so that, until the airport at Sault Ste. Marie, Ont., is completed, Canadian airlines will be free to make use of the airport facilities at Sault Ste. Marie, Mich., for any of their domestic Canadian services. During this period the Canadian airlines will also provide service to U.S. passengers at Sault Ste. Marie, Mich.

It was agreed that more frequent meetings between the civil aviation authorities of the two countries should take place in the future. The Canadian Chairman expressed the hope that the next such meeting might take place at Ottawa in 1956.

In a special meeting between the Air Transport Board and the Civil Aeronautics Board, there was a useful discussion of a number of collateral matters outside the scope of the air agreement. It was the first time that all five members of the Civil Aeronautics Board have met with all members of an aviation board of another country.

## Meeting of ANZUS Council

Press release 565 dated September 24

The ANZUS Council, established by the Security Treaty between Australia, New Zealand, and the United States, met at Washington on September 24. Richard G. Casey, Minister for External Affairs, represented Australia; Thomas L. Macdonald, Minister of External Affairs, represented New Zealand; and Secretary Dulles represented the United States.

In addition to the Ministers the delegations included: for Australia, Sir Percy C. Spender, Ambassador to the United States; John Quinn, of the Department of External Affairs; and Lt. Gen. Henry Wells, Chief of the General Staff; for New Zealand, Sir Leslie K. Munro, Ambassador to the United States; and Alistair D. McIntosh, Secretary of External Affairs; and for the United States, Under Secretary Hoover; Livingston T. Merchant, Assistant Secretary for European Affairs; Walter S. Robertson, Assistant Secretary for Far Eastern Affairs; Douglas MacArthur, II, Counselor; and Adm. Felix B. Stump, Commander in Chief, Pacific and United States Pacific Fleet.

At the conclusion of the meeting the Council issued the following statement:

The ANZUS Council affords the Foreign Ministers of the three Governments the opportunity of regular, periodic consultation in regard to international and defense matters of mutual interest and concern. The over-riding objective of the ANZUS partners is to strengthen the relationships between their Governments and to seek effective means of providing for their mutual security.

At this meeting the representatives of the three Governments were glad to note that since their last meeting in

1954, at which they had agreed on the need for the early establishment of collective defense in Southeast Asia,<sup>1</sup> the Manila Pact has been concluded. They unanimously agreed that the Manila Pact, which is history's first multilateral collective defense organization with East Asian participation, represents a further highly significant development toward sustaining and strengthening peace and security in an area of vital concern to the free world. In addition to mutual membership in ANZUS and the Manila Pact, the Ministers noted that their countries have other relationships which contribute to the development of strength and stability in the area.

The Ministers discussed at some length the developments in the world situation occurring since the last meeting of the ANZUS Council. They noted with satisfaction the efforts made at the Geneva meeting of heads of government toward reducing the causes of world tension. They expressed the hope that these preliminary steps would be followed by positive action. They were in firm agreement that world developments do not so far justify any relaxation of the efforts of the free world to maintain a posture of defensive strength.

## U.S. Welcomes Pakistan's Adherence to "Northern Tier" Pact

Press release 566 dated September 24

Pakistan has announced its formal adherence to the Pact of Mutual Cooperation signed by Iraq and Turkey on February 24, 1955, and adhered to by the United Kingdom on April 5, 1955.

The United States has continually been in sympathy with the desire of these nations to provide for their legitimate self-defense through a collective arrangement within the framework of the United Nations. In the view of the United States such an arrangement, particularly between the "Northern Tier" nations of the Middle East, contains the elements needed for an effective area defense structure.

The United States welcomes Pakistan's adherence to the pact which will facilitate the cooperation of these nations for their mutual benefit and common defense.

<sup>1</sup> BULLETIN of July 12, 1954, p. 50.

## Youth and the Free World

by Harold E. Stassen

Special Assistant to the President<sup>1</sup>

In responding to your invitation to discuss with you on this occasion "Youth and the Free World," may I first note that we meet here in Ann Arbor on Labor Day. The great productive processes of a free people under a system of individual enterprise have made this Nation a great power. In 1955, free labor has confidently and abundantly turned out full production for peace.

Let us never forget those dark days of war when American industry was called on to perform herculean feats of production for the defense of this Nation. Now as we work to build a secure peace, American labor has given ringing testimony to the rightness of our free economic system. Never before have more than 65 million people been gainfully employed in these United States.

We have entered an era of unprecedented peacetime prosperity. Personal income has climbed to new peaks; more people are finding better jobs; take-home pay is at record heights; and America is having its best economic year in history.

Our age has revealed a striking and often stormy tempo of change. With a stepped-up pace, events that once spanned centuries have been crammed into generations. This offers a great opportunity for genuine progress, but it also presents a sterner challenge than ever before. Will the youth of our Nation and of other free countries be equipped, physically and spiritually, to meet the challenge and grasp the opportunity?

It is my feeling that a free world of people living together in harmony and assured peace will be achieved only to the extent our youth can suc-

cessfully meet this challenge of change. Today, and still more in the years ahead, America and the entire world will look to leaders who are able to think courageously, act with judgment and speed, with imagination and enterprise, and yet with patience and restraint.

The knowledge through experience available to nearly 3 million Scouts is helping effectively to prepare future citizens for a constructive role in the worldwide effort for a lasting peace with justice.

If the younger generation is to successfully live in, and lead in, the turbulent world of reality in the decades ahead, they must know what is happening around them. To state it another way, a climate must be developed which will encourage our youth to be part of the world rather than apart from the world.

Just a few weeks ago the eighth World Boy Scout Jamboree was held. Youngsters from 64 nations, representing all races and faiths, gathered together for this important assembly.

I commend you warmly, not only because of the excellent work you are performing here in the United States but also for the exceptionally significant programs you have carried on with scouting groups from other nations in the interest of brotherhood and stronger ties among all peoples.

Just before I closed out my work as Director of the Foreign Operations Administration, a program was evolving at the request of the Guatemalan Government with a view of furnishing useful leisure-time activities for urban youth in that country. Before launching these activities my Washington staff consulted extensively with the Boy Scouts of America, after which a contract was negotiated for the Boy Scouts of Guate-

<sup>1</sup>Address made before the National Training Conference for Boy Scout Executives at the University of Michigan, Ann Arbor, Mich., on Sept. 5 (White House press release).

mala. I understand that a nucleus for a volunteer staff has been assembled and a youth center is now being organized.

This is the kind of cooperative approach that is taking hold increasingly throughout the free world. For us, it is the practice of a great Nation to help other free peoples to help themselves in the common quest for a more satisfying, more fruitful, and more prosperous life.

It is also a relatively new element in our foreign relations. Less than a quarter of a century ago most people drew the line of cooperation pretty well at our national borders, or at most within the limits of the continent.

But two World Wars and a near-disastrous depression have taught some grim lessons. Now we are at a stage in history when even the most powerful nations must know they can no longer heedlessly risk the devastation of war.

Can you see why I am moved to express my belief that the youth of today will face a challenge of unprecedented proportions?

Last October the President said, "Since the advent of nuclear weapons, it seems clear that there is no longer any alternative to peace. . . . The soldier can no longer regain a peace that is usable to the world."

War is not inevitable. History strengthens my conviction that Providence has directed man's genius to release the energy of the atom for a good purpose.

Not long ago I listened to a man talking to a scientist about the threat of the atom bomb. While he believed unswervingly in God, he could not understand why the Divine Power had permitted man to devise such an instrument. The scientist, who doubtlessly had wrestled with the same question, answered that in a few centuries our supplies of conventional fuel would be exhausted. Having to rely solely upon our hands and our body, we would be faced with the bleak prospect of receding to the primitive stages from which we developed.

The discovery of nuclear energy, said the scientist, has changed all this by opening up entirely new avenues to virtually inexhaustible supplies of power, thus assuring man's future progress.

It is a plain fact that the materials which give the atom bomb its awful power can be used to create amazing plenty for mankind.

This was confirmed by the daily headlines growing out of the recently completed International

Conference on the Peaceful Uses of Atomic Energy. Here the prospects of nuclear energy as a powerful force for the benefit of mankind were most dramatically revealed.

But if atom power is to be man's ultimate benefactor, I do not believe we can arrive at that goal through inaction. We can be neither smug nor complacent, nor can we resign ourselves to head-in-the-sand hopelessness.

The dogged, patient insistence on making progress must be an essential part of America's future as it has been a vital part of our past.

It is ever present in the inspiring leadership of President Eisenhower. It must be ever present in our youth upon whom the legacy of leadership will fall.

The origin of peace is in the hearts and minds of men.

Let us see to it that our youth have strong faith in themselves, in their individual chance for greatness, in their country's moral and spiritual values, and in the future.

## **U.S. Airlift Drops Rice to Famine Victims in Laos**

The International Cooperation Administration announced on September 13 that the largest peacetime air drop in Southeast Asia's history began that day in the Kingdom of Laos as the first of 1,000 tons of rice, a gift from the people of the United States, was parachuted to the famine-stricken villagers of a rugged, mountainous area too remote to be supplied by road. The first village to be supplied in the emergency operation is Boun Neua, located in Phong Saly province, which borders on Red China's southern province of Yunnan.

Rice, which comprises 90 percent of the diet of the Laotians, is also being airdropped to 24 other points in the northern section of the country where famine is widespread and where, because of the rainy season, roads and rivers are impassable and much needed relief can come only from the air.

In addition to the 1,000 tons being airdropped, another 4,000 tons of rice are being distributed throughout the kingdom by truck and river barge. The entire relief operation, as well as the rice itself, is being financed by the United States through the International Cooperation Administration

and is being carried out by the Royal Government of Laos. Thailand, Laos' friendly neighbor to the west, contributed another 500 tons of the food staple.

The famine in Laos—which until last year was one of the Associated States of Indochina—is an aftermath of the Communist Viet Minh invasion. When Ho Chi Minh's troops from Communist North Viet-Nam withdrew from Laos last November, they left wholesale destruction behind. This devastation, coupled with severe droughts in Laos over the past two seasons, led to the present serious food shortages.

## Department Reply to Protest on "Blackboard Jungle" Incident

Press release 557 dated September 21

*Following is the text of a letter from Acting Assistant Secretary Robinson McIlvaine, which is in reply to a letter from Mr. Arthur M. Loew of August 29:*

SEPTEMBER 19, 1955

DEAR MR. LOEW: The Secretary of State has asked me to reply to your letter of August 29, 1955, protesting the reported action by the American Ambassador to Italy in regard to the presentation of the Metro-Goldwyn-Mayer picture "Blackboard Jungle", at the Venice Film Festival.

Let me first of all assure you that neither the Department of State nor the Chiefs of Mission abroad would ever attempt in any way to curb the free dissemination of views and opinions or to pre-judge any artistic presentation. By the same token, neither the Department nor our representatives abroad are required officially to endorse any given presentation.

In going over the facts, I cannot find that there was any attempt at censorship, but rather that Ambassador Luce was carrying out her own responsibilities in not wishing to attend the performance of a film which—whatever its artistic merits—she did not consider truly representative of America.

I believe a review of the developments in this matter will fully reinforce this conclusion.

Ambassador Luce discovered on her arrival at Venice, August 25, that "Blackboard Jungle" had been substituted for another film in the list of American entries. The Ambassador then met

with the Director of the Festival. She made it quite clear that she assumed no authority over the selection of American entries nor any official power to request their withdrawal. She also stressed strongly to the Festival Director that, in keeping with the principles of free enterprise and non-interference by Government with private industry, American motion picture producers were free to enter and submit any film they wished in such festivals. She did, however, state to the Director that she did not believe she should give official endorsement to "Blackboard Jungle" by her presence at the Festival when she believed that the film would create a seriously distorted impression of American youth and American public schools and, thus, abet the anti-U. S. propaganda of the Communists in Italy. The Festival authorities remained free to retain the entry.

Prior to his conversation with the Ambassador, the Festival Director had queried the Rome MPAA representative on this entry. He in turn contacted the MPAA in New York and reported back to the Director that the MGM original entry, "Interrupted Melody", should be substituted for "Blackboard Jungle".

The Director of the Venice Film Festival has already publicly corroborated that the American Ambassador neither imposed censorship nor misused the prestige of her office.

It is interesting to note that, according to the Director, the United States is the only participating country in which private industry and the Government do not coordinate their entries. In keeping with our tradition, the Department believes it fitting that we continue in that manner, confident that there is no conflict of interests that may not be resolved by the enlightened and mutual understanding of American Government officials and leaders of private business.

I regret, therefore, that anyone should consider the Ambassador's decision not to lend positive endorsement to this film as an effort to pre-censor or curb the free dissemination of views or opinions.

Sincerely yours,

ROBINSON McILVAINE  
Acting Assistant Secretary  
for Public Affairs

MR. ARTHUR M. LOEW, President,  
Loew's International Corporation,  
Loew Building - 1540 Broadway,  
New York 36, New York.

October 3, 1955

537

## Relation of Antitrust Policies to Foreign Trade and Investment

*Statement by Thorsten V. Kalijarvi<sup>1</sup>*

I am Thorsten V. Kalijarvi, Acting Deputy Under Secretary of State for Economic Affairs, and am appearing here in response to the committee's request for the Department of State to present its views concerning the relationship of antitrust policies to foreign trade and investment.

One of the major objectives of our foreign economic policy is to promote an expanding world economy. It is our belief that an expanding world economy produces a stronger economy at home and, at the same time, helps to achieve the desires of peoples abroad to share more broadly in the advantages of modern industrial techniques and progress. The greater economic strength thus achieved contributes to the security of the free world in general. Thus an expanding world economy is directly related both to our economic well-being and to our national security.

It is to this basic objective that three programs in which the committee is interested are addressed, namely, the promotion of world trade, the fostering of private investment abroad, and our espousal of competition as an alternative to cartelism and socialism. We are convinced that all of these are important steps toward realization of an expanding world economy.

The Congress has recognized this in the laws which it has enacted. Thus, in the Thye amendment [sec. 413] to the Mutual Security Act of 1954,<sup>2</sup> the Congress has declared it to be the policy of the United States "to encourage the efforts of

other free nations . . . to foster private initiative and competition" and "to discourage monopolistic practices." The essential principle of this policy is to carry abroad the conviction, developed out of our own experience, that competitive free enterprise provides the dynamic force for economic progress. The policy set forth in the Thye amendment recognizes that an economy weighted down with private restraints is like a ship dragging anchor. Private agreements to limit production, to hold up prices, to discriminate against firms that show independent initiative, to hold back technological progress, to keep inefficient producers in business, wherever they occur in the free world, retard progress and work against our own interests.

The Department, and the other executive agencies concerned, following this congressional policy, seek to explain abroad how our competitive economy works. We encourage foreign officials and nationals to come to this country to study our economic system and antitrust laws. We provide assistance to other countries in the development of anticartel laws and enforcement procedures. In our economic relations, we point out the existence of restrictive business practices that impair the ability of other countries to export to the United States or achieve other economic objectives. We practice competitive bidding, wherever possible, in our procurement abroad. We encourage other countries and international agencies to utilize competitive bidding. Through technical aid programs we emphasize the need, in achieving higher levels of productivity, to eliminate restraints on production and trade. We encourage American businessmen, labor leaders, and other citizens to help in pointing out the advantages of a competitive economy.

<sup>1</sup>Made before the Antitrust and Monopoly Subcommittee of the Senate Judiciary Committee on Sept. 15 (press release 545). For a statement by Mr. Kalijarvi on May 24 before the Antitrust Subcommittee of the House Judiciary Committee, see BULLETIN of June 13, 1955, p. 974.

<sup>2</sup>Public Law 665, 83d Cong.

## Progress Since World War II

The results which have been achieved in the years since World War II have not been insignificant. Before the war support of cartels by governments abroad was widespread; as a matter of fact, frequently foreign law required membership in cartels. This past spring, however, the U.N. Economic and Social Council noted with satisfaction that "a number of Governments have undertaken new measures, or strengthened existing measures, to prevent or control restrictive business practices or their harmful effects" and that there is a growing awareness that "these practices may have harmful effects upon economic development, employment and international trade."<sup>3</sup> In support of this view, it might be pointed out that there is now legislation in most countries of Western Europe designed to control restrictive business practices, and, what is more important, active enforcement of such legislation is proceeding in most cases. While this legislation is not as comprehensive as our own antitrust laws, there is a constant trend toward making it more effective. Perhaps the most dramatic development has been the inclusion in the Schuman Plan Treaty establishing the European Coal and Steel Community of strong anticartel and antimonopoly provisions, closely akin to United States antitrust principles, rather than to the traditional European concepts of cartel regulation. There is every reason to believe that effective enforcement of these provisions will take place and that such enforcement will have a profound and beneficial impact upon the economies of all the Western European countries.

Another significant change in recent years which should be called to the committee's attention has been a marked shift in official attitudes in Europe in favor of more competitive economies. For example, in the United Kingdom, the Monopolies Commission has recently issued a report recommending the outlawing by statute of a number of restrictive practices most prevalent in British industry. In commenting on this report in parliamentary debate, Mr. Thorneycroft, president of the U.K. Board of Trade, made the following statement reflecting the point of view of the Conservative Party:

It is for these reasons that we have pursued the aims we have, to remove the obstacles to trade abroad, to rid

ourselves of the network of manufacturing controls at home and to eradicate abuses in the field of monopoly or restriction. We are, and remain, the party of free enterprise and competition, in an age when both are needed to the full.

Another manifestation of the shift of attitude which has taken place is increased public interest in the problem. Widespread attention is being given to the subject in the press. There is broad public support for the concept of increased productivity. Public concern has been expressed over restrictive practices as revealed by official investigations. I shall confine myself to one example. A public opinion poll taken in West Germany in 1951 showed only 37 percent of the people in favor of free prices and 47 percent for fixed prices. In contrast, a poll on the same subject in the same area more than 2 years later showed 54 percent for a free economy and only 31 percent against. In the light of this and other information that comes to us from time to time, it is our belief that the philosophy of competitive enterprise is making significant headway in other areas of the world.

## Importance to Foreign Relations

At this point, I think it would be useful to the committee to state four major reasons why the Department believes that our policy of free competition is important to our foreign relations.

First, the Department believes this policy has been a factor in frustrating international cartels. Such cartels, accompanied by fixed higher prices, discouragement of new investment, and a static rather than an expanding economy, have a restrictive effect on the world economy. The United States is not merely one of a number of producing nations of the world—it alone produces as great a volume of manufactures as the rest of the world combined. Without the participation of America's industrial strength, effective cartelization in field after field of world trade is unrealizable. It needs little argument to discern how different would be the course of world trade if the United States had embraced international cartelism. American free competition has therefore been one of the healthiest influences in contributing to efficient, expanding world trade.

Second, our policy of free competition is a major factor in encouraging other countries to strengthen competition in their own economies. As I mentioned before, there are many activities of this Government designed to encourage other coun-

<sup>3</sup> U.N. doc. E./Res. (XIX)/14 dated May 26, 1955.

tries to strengthen the forces of competition in their economic life. But there is no better form of encouragement than to practice what we preach. If, for example, our policy had been to exclude the field of foreign commerce from the coverage of our antitrust laws, our advocacy of competitive enterprise could have had but little meaning to countries whose economic lifeblood depends upon their foreign trade.

Third, our policy of free competition enables us to protect and promote our industry and commerce abroad, for it arms us with a basic philosophy on which to rest representations to foreign governments concerning restrictive practices that are injurious to American interests. It is true that the United States may not always be successful in such approaches. But we have a much stronger basis for opposing restrictive practices aimed at our trade and commerce abroad when we do not practice them against others.

Fourth, the Department believes that our policy of free competition contributes to the respect with which American industry is held in the world. Our antitrust laws and policy are evidence to other countries that our aim is not to exploit but to compete, openly and fairly, to bring more and better goods and services to others at more reasonable prices. It is in this spirit that we reach out to the market places of the world. Of course there will always be those who will slander our country and our industry with charges of "colonial exploitation," "economic imperialism," and the usual string of expletives, but our policy of free competition is one of the most effective answers we have to such charges.

#### **Effect on U.S. Investments Abroad**

Let us now turn to some of the problems we encounter in the field of antitrust enforcement as it relates to foreign policy. The first of these is the effect of our antitrust laws on the making of United States investments abroad. As already stated, the State Department is strongly in favor of maximizing productive U.S. investment abroad because of the important contribution which it makes to the economic strength of other free countries. Much has been written and said about alleged deterrent effects of the antitrust laws or their administration on such investments. It has been said, first, that there is uncertainty concerning the status of various forms of foreign investment

under the antitrust laws and second that, to the extent they are covered by the laws, the making of foreign investment is adversely affected. On the first point, the Department, in submitting its views to the Attorney General's National Committee To Study the Antitrust Laws, commented that "a clarifying statement concerning the application of antitrust policy to foreign investment would be a constructive means of removing existing uncertainties in the minds of potential investors." The Department believes that the analysis of the law contained in the foreign trade chapter of the committee's report "constitutes a valuable contribution to this needed clarification."

While the Department is not in a position to give any definitive position with respect to the second point, permit me to state those factors which we believe it is necessary to consider in any effort to arrive at a balanced analysis in the overall public interest.

First, the Department has observed many cases in which the antitrust laws have altered the manner in which American firms have invested abroad. It is, however, hard to point to any specific case and say that the antitrust laws prevented this investment from being made. The reason is that any important foreign investment proposal is generally based on more than one consideration. There are such factors to be taken into account, for example, as the receptivity of a foreign government toward the investment; the evaluation by the investor of his ability to operate effectively in a distant and unfamiliar environment; the competing investment opportunities in the United States; the safety of an investment and the convertibility of earnings; the ability of the investor to make satisfactory arrangements abroad to permit investment on promising terms; and tax inducements or deterrents. Therefore, it is extremely difficult if not impossible to determine in most cases if a proposed investment fell through because of antitrust policy or law.

Second, the question has to be decided whether, in terms of our basic objective (of promoting an expanding free world economy), foreign investments made with restrictions now prohibited by the antitrust laws should be fostered by the United States Government. Suppose an American firm

\* *Report of the Attorney General's National Committee To Study the Antitrust Laws, March 31, 1955, for sale by the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C., \$1 a copy.*

were willing to invest in a going concern in another country, but only subject to the condition that the recipient firm would limit its sales to its home territory. The question arises whether the disadvantages resulting from this impediment to the foreign trade of the other country and that of the United States outweigh, or are outweighed by, the contribution which the investment may make to the domestic economy of the foreign country.

Third, it is important to consider what the effect abroad would be if the antitrust laws were changed so as to permit investors to engage in practices now banned by the antitrust laws. We should not forget in this context the contribution which our policy of free competition makes to the respect with which American industry is regarded abroad. The general investment climate in foreign countries can be directly affected by any changes in our policy of free competition. Also, foreign cartel and monopoly practices are one of the significant barriers to investment in some countries. In this connection, the President has asked the Secretary of State, in accordance with the recommendation of the Commission on Foreign Economic Policy, to "make clear to other nations that laws or established business practices in their countries which encourage restrictive price, production or marketing arrangements will limit the willingness of U.S. businessmen to invest abroad and will reduce the benefits of such investment to other nations." There is little doubt that our legalizing practices now illegal would make more difficult the position of advocates of free enterprise abroad and our ability to carry out the President's directive.

These considerations, in our judgment, must be weighed when assessing the effect of the antitrust laws on United States investment abroad. Obviously any specific proposals for dealing with this problem which may be advanced would need to be considered in the light of other factors as well as those which have been outlined. The Department would be glad to comment from the standpoint of foreign policy on any specific proposals that may subsequently be developed, should the committee so desire.

Let us next turn to a second problem area in the field of antitrust enforcement. This consists of specific antitrust cases which present "conflicts of jurisdiction" with foreign countries or difficulties in our relations with other governments. Conflicts of jurisdiction may arise when the laws or decrees of other countries prohibit companies from taking in those countries action which the laws of

the United States require them to take. Such would be the case, for example, if a foreign country prohibited one of its companies from producing records before a United States court. These cases, which are relatively infrequent, do not fall into any set pattern and do not readily lend themselves to a general formula for treatment. As a practical matter the Departments of State and Justice work closely together to develop adequate solutions in specific cases.

Where the problem is one of a potential strain on our relations with other governments, the Department of Justice has been helpful in working out the timing and method of handling the case so as to keep the strain to a minimum.

#### **International Efforts To Curb Restrictive Practices**

Finally, for the sake of completeness, we should not neglect to mention the efforts which have been made to achieve international cooperation to curb restrictive business practices. This is a part of the overall interest of the committee. Accordingly, let me briefly sketch the considerations which have been involved. The advantages of such cooperation, where feasible, are apparent—in theory, at least, it would minimize areas of conflict between countries resulting from the pursuit of unilateral policies, and it would result in a more effective elimination of undesirable restraints on international trade. A proposal for an international agreement on this subject was considered this past spring at the 19th session of the Economic and Social Council of the United Nations. This agreement would have established an international agency to study specific restrictive practices in international trade and, where appropriate, to recommend action to member governments to suppress them or eliminate their harmful effects. The member governments would then be expected to take action in accordance with their national laws.

The United States opposed this agreement on the grounds that the substantial differences in national policies and practices which still exist in this field would make the agreement ineffective in accomplishing its purpose of eliminating restrictive business practices which interfere with international trade.<sup>5</sup> While encouraging progress

<sup>5</sup> For the text of a note transmitted to the Secretary-General of the United Nations by the U. S. representative to the U. N. on Mar. 28, see BULLETIN of Apr. 18, 1955, p. 665.

has been made in the adoption of foreign laws on the subject, these developments have not reached the stage at which the recommendations of the proposed international body could be carried out effectively at the national level. This Government recommended to the Council that present emphasis be placed on further development of national programs.

Thus, while the plan for international cooperation proposed by the Economic and Social Council is not feasible, the Department continues to believe in the importance of developing greater cooperation among governments in other less formal ways in handling common problems in this area. We are encouraged in this respect by many evidences of similar interest on the part of many foreign governments. But we believe that progress, to be healthy, must follow a normal pattern of growth. This, we believe, is provided by the resolution adopted by the Economic and Social Council in the spring. This resolution urges countries to examine the problem of restrictive business practices and to develop means of dealing with them. It provides also for a sharing of experience among countries. We believe these are first steps that cannot be bypassed and that can eventually lead to a common acceptance of the competitive system. As President Eisenhower stated in his Economic Report to the Congress last January:

Our own interest clearly calls for a policy that will in time extend into the international field those principles of competitive enterprise which have brought our people great prosperity with freedom.

In closing, I am sure it is not necessary to emphasize that the Department of State is concerned mainly with the foreign policy aspects of restrictive business practices and that it is not the department most prominently concerned with anti-trust enforcement. The technical aspects of the antitrust laws and their enforcement are subjects on which other departments or agencies are more competent to speak.

#### Calendar of Meetings

The Calendar of Meetings, usually published in the first issue of the month, will appear instead in the October 10 issue of the BULLETIN.

## Portugal Frees Certain Imports From Dollar Area

Press release 563 dated September 23

*The following joint statement of the Departments of State and Commerce was released on September 23:*

The U.S. Government welcomes the recent action of the Portuguese Government under which licenses will automatically be issued for the importation of an extensive list of commodities into Portugal from the dollar area. This marks the first step by Portugal to free imports from the dollar area.

The list of goods freed constitutes 53 percent of the value of dollar imports in 1953. The commodities included in the liberalization list, together with their corresponding paragraph numbers from the Portuguese import tariff, are as follows:

Live animals (13); animal hairs and bristles (15); animal products, not otherwise specified (16); crude rubber (62); hops (81); vegetable ivory (91); resins (105); tobacco (110 and 111); petroleum pitch (117); asbestos (118); sulphur, not otherwise specified (128); gypsum plaster (134); coal (135-B); petroleum, noninflammable at ordinary temperatures (142-A); petroleum essences, not otherwise specified (144); bituminous preparations for paving (145-A); infusorial earth (146); aluminum and alloys (150); cast lead (152); scrap lead (152-A); copper ingots and alloys (156); steel scrap (162); galvanized steel sheets (163); galvanized wire (165); tin plate (165-A); enamelled steel sheets (166); organic accelerators for vulcanizing rubber (186-A); acetone (191); boric acid (198); alcohol (216 and 218); aromatic amines (223-A); antioxidants for the rubber industry (229-D); anthraquinone (230-A); sodium borate (245); calcium carbonate (254); medicinal extracts, not otherwise specified (292); tri-sodium phosphate (294-A); calcium phosphate (296); furfural (298-A); gases, not otherwise specified (299); naphthols (313-A); iron oxides (323); paraffin (326); peptones (327); medicinal plants (330); photographic developers and fixers for retail sale (337); diazonium salts (339-A); subnitrate bismuth (351); sulfanilamides (352-A); sodium sulfites (364); vaselines (379); potassium or sodium xanthates (379-C);

aluminum in paste (381-A); carbons, not otherwise specified (381-B); carbon black (390).

Metallic cloths (539); canvas for painting (558); alcoholic beverages, not otherwise specified (563); wheat (592); fish (615); preserved foods, not otherwise specified (616); electric batteries and parts (648); aerometers (661); carbons for electrical use (671); sensitized plates for photography (673); compressors and pumps, up to 200 kilos (676-B); electric condensers (676-C); collections of works of art, not otherwise specified (705); parts for gas, electric, and liquid meters, not otherwise specified (707-B); electric energy control, distribution, and observation panels (718); ball and roller bearings (718-C).

Aircraft (725-A); automobile chassis (728 and 730); automobile brakelining and clutch disks (748-A); watercraft for sport acquired by members of [stipulated organizations] (751); parts for railway rolling stock (757 and 761); springs for vehicles (762); parts for vehicles (764-C, 764-D, 764-F).

Laboratory glassware (847); specified other glassware (849); dictionaries (911); books (915, 916, 917, 918, 919); manuscripts and typescripts (922); carbines and shot guns (945, 950, and 951); artificial teeth (999); phonograph records and sound tapes (1001); card-punch business machines (1009); motion picture films (1013, 1013-C, 1013-D, 1014); photoengraving plates (1020); medicinal capsules (1023); electronic organs (1026-A); electric lamps for heating (1030); serums and vaccines (1048); dental preparations for prosthesis (1062); resistance coils for electrical heating apparatus (1076-A); smoking tobacco (1083); electronic tubes (1089-A).

This voluntary action by the Portuguese Government is commendable evidence of the desire of the countries in the Organization for European Economic Cooperation (OEEC) to move in the direction of freer trade with the dollar area.

## Import Quotas on Oats and Barley

White House Office (Denver) press release dated September 9

The President announced on September 9 that he would not request the U.S. Tariff Commission to investigate, pursuant to Section 22 of the Agricultural Adjustment Act, as amended, the advisability of imposing import quotas on oats and barley beyond September 30, 1955, the date on which

the quotas presently in effect will expire.

The quotas on oats and barley for the current crop year, October 1, 1954 through September 30, 1955, are presently only 45 to 50 percent filled despite ample supplies in Canada, the chief exporter of these commodities to the United States. The relationships between U.S. and Canadian prices during recent months have not been conducive to the importation of these grains into the United States. Unless there is considerable change in present conditions, therefore, it appears unlikely that oats and barley would be imported in such quantities as to interfere materially with domestic price support programs for these grains. The Department of Agriculture has assured the President, however, that it will continue to maintain a close review of the situation and that if conditions should change to such an extent as to make it necessary, the Department will recommend new investigations under Section 22.

The President's action was based on recommendations contained in letters from the Acting Secretary of Agriculture, Earl L. Butz, to the President. Texts of the Acting Secretary's letters follow.

### Letter Concerning Oats

DEAR MR. PRESIDENT: This is concerning import quotas for oats after September 30, 1955. Presidential Proclamation No. 3070,<sup>1</sup> authorized under Section 22 of the Agricultural Adjustment Act, as amended, limited imports of oats from all sources during the period October 1, 1954 to September 30, 1955. Imports under the present quota were approximately 58½ percent unfilled as of August 17 of this year.

Based on preliminary information now available to the Department it appears unlikely that oats will be imported in sufficient quantities during the coming year to interfere materially with the operation of our price support program. This is based primarily upon the present and indicated future relationship between United States and Canadian prices.

Accordingly, we are not recommending that action be taken at this time to extend import controls on oats after the expiration of the present controls. We shall, however, continue to maintain a close review of the situation and if conditions should change to such an extent that import

<sup>1</sup> BULLETIN of Nov. 1, 1954, p. 657.

controls appear to be necessary we shall inform you as promptly as possible.

Sincerely yours,

EARL L. BUTZ  
*Acting Secretary*

#### Letter Concerning Barley

DEAR MR. PRESIDENT: This is concerning import quotas for barley after September 30, 1955. Presidential Proclamation No. 3075,<sup>2</sup> authorized under Section 22 of the Agricultural Adjustment Act, as amended, limited imports of barley from all sources during the period October 1, 1954 to September 30, 1955. Imports under the present quota were approximately 40 percent unfilled as of August 17 of this year.

<sup>2</sup> *Ibid.*, Nov. 29, 1954, p. 818.

Based on preliminary information now available to the Department, it appears unlikely that barley will be imported in sufficient quantities during the coming year to interfere materially with the operation of our price support program. This is based primarily upon the present and indicated future relationship between United States and Canadian prices.

Accordingly, we are not recommending that action be taken at this time to extend import controls on barley after the expiration of the present controls. We shall, however, continue to maintain a close review of the situation and if conditions should change to such an extent that import controls appear to be necessary we shall inform you as promptly as possible.

Sincerely yours,

EARL L. BUTZ  
*Acting Secretary*

## INTERNATIONAL ORGANIZATIONS AND CONFERENCES

### Chinese Representation in the United Nations

*Statement by Henry Cabot Lodge, Jr.*  
*U.S. Representative to the General Assembly*<sup>1</sup>

Mr. President,<sup>2</sup>

Permit me first to congratulate you on the message of hope with which you greeted us today.

For reasons which are well known, the United States will not engage in a discussion of the substance of the question that has been raised by the Representative of the Soviet Union [Vyacheslav M. Molotov]. Instead, we make the following motion:<sup>3</sup>

*The General Assembly*

*Decides* not to consider, at its tenth regular session during the current year, any proposals to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People's Government of the People's Republic of China.

<sup>1</sup> Made in the opening plenary session of the Tenth General Assembly on Sept. 20 (U.S. delegation press release 2205).

<sup>2</sup> José Maza of Chile.

<sup>3</sup> U.N. doc. A/L. 195.

Logically, this motion takes precedence over the Soviet Union proposal<sup>4</sup> and therefore I ask that rule 93 of the Rules of Procedure be invoked. This rule reads as follows:

If two or more proposals relate to the same question, the General Assembly shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The General Assembly may, after each vote on a proposal, decide whether to vote on the next proposal.

Now, Mr. President, that rule, you will observe, gives the Assembly the power to decide questions of precedence, and I accordingly ask the Assembly to decide to put my motion to the vote first and then I will ask for a vote on the motion itself.

I, therefore, ask the President to put the following proposal to the Assembly:

The General Assembly decides to consider first the

<sup>4</sup> U.N. doc. A/L. 194. The Soviet draft resolution called on the General Assembly to decide "that the representatives of China in the General Assembly and in the other organs of the United Nations are the representatives appointed by the Central People's Government of the Chinese People's Republic."

motion just offered by the Representative of the United States.<sup>5</sup>

Then, Mr. President, after that motion has been voted on, I shall move that the Assembly vote on the substantive proposal which I have made.<sup>6</sup>

## **Proposed Inscription of Cyprus Item on Assembly Agenda**

*Statement by Henry Cabot Lodge, Jr.<sup>7</sup>*

The United States will not address itself to the arguments on the substance of this question which have been made here today either by the distinguished representative of Greece [George V. Melas], or the distinguished representative of Turkey [Selim Sarper], or the distinguished representative of the United Kingdom [Anthony Nutting]. The United States generally believes that matters of international concern should go onto the agenda of the General Assembly whenever there is reason to think that discussion will promote the purposes of the charter.

Debate in the United Nations is, of course, not an end in itself. It is a means to an end. Public debate is curative in many cases. But it cannot cure all problems any more than a certain medicine will cure all diseases. The General Assembly should not allow itself to be used to defeat its own purposes.

It is to be observed that the charter itself provides that in certain cases the parties to an international dispute should "first of all" seek a solution by negotiation and other such means.<sup>8</sup>

The United States has given very careful consideration to the proposed inscription again of the Cyprus matter on the United Nations General Assembly agenda at this time.

Last year the United States was dubious about inscription because we doubted that, as a practical matter, positive results could be achieved here.

<sup>5</sup>The vote on giving priority to the U.S. proposal was 41-10 (Soviet bloc, Burma, India, Indonesia, Norway, Sweden); Afghanistan, Egypt, Israel, Saudi Arabia, Syria, Yemen, and Yugoslavia abstained.

<sup>6</sup>The U.S. proposal was adopted by a vote of 42-12 (Soviet bloc, Burma, Denmark, India, Indonesia, Norway, Sweden, Yugoslavia); Afghanistan, Egypt, Israel, Saudi Arabia, Syria, and Yemen abstained.

<sup>7</sup>Made in the General Committee on Sept. 21 (U.S. delegation press release 2206).

<sup>8</sup>Article 33.

Therefore, we abstained on the question of inscription. However, the General Assembly decided to proceed with the matter. But after the debate had taken place, the General Assembly, last December, concluded that it was not appropriate to adopt any resolution on the matter of Cyprus and that it should not consider the item further.<sup>9</sup>

The debate at that time was conducted in a spirit of relative moderation. Since then the situation has become more inflamed. It seems to us that the considerations which actuated the General Assembly last December apply even more strongly now.

A decision at this time not to accept the matter of Cyprus for General Assembly debate would not mean that nothing will happen. Rather it means that the matter can and will be dealt with under different and more auspicious conditions. There are occasions when quiet diplomacy is far more effective than public debate, and this seems to be one of those occasions.

The representatives of the United Kingdom have given assurances that they will actively pursue a program which will afford the Cypriots a greater opportunity to attain their legitimate aspirations. The United States pledges itself to continue an active interest in the Cyprus situation. We believe that developments in the general interest are more likely to occur if the General Assembly does not now take jurisdiction of the matter.

We have come to this decision only after grave thought, because the matter is one of great importance. It particularly concerns, in varying ways, three nations, the United Kingdom, Greece, and Turkey, with each of which we have the closest ties. To make a decision which may be contrary to the desires of our Greek friends to whom we feel so close is particularly painful for us, following the tragic events which have recently occurred in Turkey.

We feel, however, that we are taking the course of true friendship in seeking to avoid what we believe would in reality be a disservice to our charter goals, both those relating to non-self-governing territories and those relating to the development of friendly relations among nations.

For this reason we shall now vote against inscription of the Cyprus matter. This is, of course, without prejudice to our right to support inscription later if we think it would advance the purposes and principles of the charter. However, as

<sup>9</sup>BULLETIN of Jan. 3, 1955, p. 31.

matters are, we believe it best now to follow the decision of the General Assembly itself of last December, namely that the General Assembly should not now consider the item further.

The primary purpose of the United Nations is to encourage in every possible way the peaceful settlement of international disputes. We do not believe that the inscription of the Cyprus item on the agenda of the General Assembly at this time will contribute toward that end.<sup>10</sup>

## Question of Inscribing Algerian Item on Assembly Agenda

*Statement by Henry Cabot Lodge, Jr.*<sup>11</sup>

We believe the Assembly should bear in mind certain relevant factors as it decides whether to inscribe on its agenda the item entitled "The Question of Algeria."

Remembering that a vote on the inscription of an item is without prejudice to the ultimate question of the Assembly's competence, we must in this particular case take into account the following:

Unlike Morocco and Tunisia, which are French protectorates, Algeria under French law is administratively an integral part of the French Republic. We have noted in the explanatory memorandum (document A/2924) which has been submitted by the members that have proposed the item respecting Algeria that it is stated that "there is an imperative need for negotiations between the Government of France and the true representatives of the Algerian people" and that consideration of the Algerian question by the General Assembly would facilitate a solution by making the need for negotiation evident. We have noted further that reference is made to the right of the people of Algeria to independence as well as to the concern of the international community in a prompt solution of the Algerian problem, a concern to which the French Government is claimed to have failed to respond. This memorandum indicates clearly

<sup>10</sup> The General Committee's vote on inscription was 4 (Egypt, Mexico, Poland, U.S.S.R.)-7 (Chile, France, Luxembourg, New Zealand, Norway, U.S., U.K.)-4 (China, Ethiopia, Haiti, Thailand). On Sept. 23 the Assembly voted 28-22-10 to uphold the General Committee's recommendation against inscription.

<sup>11</sup> Made in the General Committee on Sept. 22 (U.S. delegation press release 2208).

that what is sought by the sponsors of the item is the sanction of the General Assembly to a course of action intended to bring about fundamental changes in the composition of the French Republic. It is the considered conclusion of the U.S. Government that the proposed item, viewed in the context of the action proposed to be sought in the General Assembly, falls within the provisions of article 2, paragraph 7 of the United Nations Charter.

For these reasons, the United States will vote against including this item in the Assembly's agenda.<sup>12</sup>

## Action Under Rio Treaty in Costa Rica-Nicaragua Case Terminated

*Following is the text of a resolution approved on September 8 by the Council of the Organization of American States, acting provisionally as Organ of Consultation under the Rio Treaty, together with the text of a report submitted to the Council by a special committee established by the Council to assist Costa Rica and Nicaragua in settling problems of concern to the two Governments.<sup>1</sup>*

OAS doc. C-I-284 Rev. 1

### OAS COUNCIL RESOLUTION OF SEPTEMBER 8

THE COUNCIL OF THE ORGANIZATION OF AMERICAN STATES, ACTING PROVISIONALLY AS ORGAN OF CONSULTATION,

HAVING SEEN the report of the Special Committee of the Council, Acting Provisionally as Organ of Consultation, presented today,

#### RESOLVES:

1. To cancel the call for a Meeting of Consultation of Ministers of Foreign Affairs that was made, in accordance with the Inter-American Treaty of Reciprocal Assistance, in the January 11, 1955 resolution of the Council of the Organization, and, consequently, to terminate the provisional activities of the Council as Organ of Consultation.

2. To retain the Special Committee while the

<sup>12</sup> The vote on inscription was 5 (Egypt, Mexico, Poland, Thailand, U.S.S.R.)-8 (France, Haiti, Luxembourg, New Zealand, Norway, U.K., U.S., Assembly President)-2 (China, Ethiopia).

<sup>1</sup> For background, see BULLETIN of JAN. 31, 1955, p. 178. The resolution and report were transmitted to the U.N. Secretary-General and circulated as U.N. doc. S/3438 dated Sept. 14.

negotiations for the signing of the bilateral agreement provided for in the present Pact of Amity and in Resolution II approved by this Council on February 24, 1955, are in course, so as to enable it to continue to cooperate with the Representatives of Costa Rica and Nicaragua whenever they require such cooperation. The Special Committee shall duly report on this matter to the governments, through the Council of the Organization.

3. To state that it is pleased that the Commission on Investigation and Conciliation has been established by Costa Rica and Nicaragua and to repeat that it is confident the two Parties will utilize the services of the aforesaid Commission, in accordance with the treaties in force between them.

#### **SPECIAL COMMITTEE'S REPORT OF AUGUST 26**

Resolution III, approved on February 24, 1955, by the Council of the Organization, Acting Provisionally as Organ of Consultation, established this Special Committee for the purpose of offering its cooperation to the Representatives of the Governments of Costa Rica and Nicaragua in carrying out the pertinent provisions of Resolution II approved on that date, especially with regard to the preparation of the bilateral agreement called for by the Pact of Amity between these two Republics and the establishment of the Commission of Investigation and Conciliation contemplated in the American Treaty on Pacific Settlement.

This Special Committee was composed of the Representative of Uruguay who was elected Chairman of the Committee, and the Representatives of Argentina, Brazil, Chile, Ecuador, El Salvador, Mexico, Paraguay, and the United States. The Committee, installed on February 28 last, has been meeting regularly since then in order to fulfill the high purposes of the responsibility entrusted to it. Immediately after the resolutions of February 24 had been approved by the Council, the Presidents of Costa Rica and Nicaragua each sent a message to the Chairman of the Council in which they acknowledged the effectiveness of the action taken by the Council of the Organization of American States, and reaffirmed their determination to settle their differences in a friendly manner. At the same time, the attitude of Ambassadors Fernando Fournier and Guillermo Sevilla Sacasa, the Representatives of Costa Rica and Nicaragua, respectively, their encouraging statements, and the spirit

of cordiality demonstrated whenever the Committee met with them, showed a splendid desire to reach the best understanding possible, in accordance with the recommendations of the Council acting provisionally as Organ of Consultation. The Committee has noted with pleasure the cordial meeting of May 7, 1955, between the Foreign Ministers of Costa Rica and Nicaragua held at their common border on the occasion of the opening of the section of the Pan American Highway that unites these two Republics.

The Commission on Investigation and Conciliation referred to in Resolutions II and III of February 24, has been established, thanks to the diligent efforts of both governments. This Commission is composed of Mr. John C. Dreier, Chairman, and Messrs. Alberto Domínguez Cámpora, Mario A. Esquivel, Mario de Pimentel Brandão, and Oscar Sevilla Sacasa. Also, at meetings of the Special Committee the Costa Rican and Nicaraguan Representatives stated that several other problems of concern to both governments either had been, or were being, satisfactorily settled. Insofar as concerns the bilateral agreement mentioned in the Pact of Amity entered into by Costa Rica and Nicaragua on September 21, 1949, for the signing of which a cordial appeal was made in Resolution II approved by the Council, Acting Provisionally as Organ of Consultation, the Chairman of this Special Committee had occasion, at the meeting of August 4, to report to the aforesaid Organ that the two preliminary steps in the negotiations for the signing of this important document had been taken. These were: (1) the presentation on May 27 to the Government of Nicaragua by the Government of Costa Rica of a draft containing the basic provisions for the agreement; and (2) the transmittal on August 2 by the Government of Nicaragua to the Government of Costa Rica of its observations on this draft. In the oral report that by decision of the Special Committee, its Chairman presented to the Council, Acting Provisionally as Organ of Consultation, at the meeting of August 4, the Committee expressed its satisfaction with all these evidences of friendship and good will and the concrete measures that had been taken by both governments. At the same meeting and in the afternoon meeting held on that day, the Representatives of both parties provided additional information concerning the most important aspects of the draft. After taking into consideration the additional information provided by the

Representatives of Costa Rica and Nicaragua and the views expressed by other Members of the Council, it was decided:

1. That the Special Committee shall meet, as soon as its Chairman deems it convenient, to draft a report covering the course of the bilateral negotiations between Costa Rica and Nicaragua for the purpose of preparing the bilateral agreement provided for in Resolutions II and III of February 24, 1955.

2. That the Special Committee, in the light of the views expressed at today's meetings, submit an opinion as to the advisability of canceling arrangements for the consultation.

Insofar as the first point of the above-cited decision of the Council is concerned, the additional information indicated the progress made up to August 4 in the direct negotiations that were being carried out between Costa Rica and Nicaragua for the purpose of preparing the bilateral agreement. The negotiations have continued to be carried out most diligently since then, and even now, Ambassadors Fernando Fournier and Guillermo Sevilla Sacasa, the Representatives of Costa Rica and Nicaragua respectively, are, in a spirit of true cooperation, doing everything within their power to expedite the signing of the agreement.

With regard to the advisability of canceling the Meeting of Consultation, the Committee has kept uppermost in its mind the views expressed at the meetings of August 4, Resolution II (6) of February 24, and the understanding on the basis of which Resolution II (6) was drafted and approved. These facts show that the Council is duly qualified to decide whenever it so desires, to cancel the Meeting of Consultation in the light of the development of the situation, within a reasonable length of time. In view of the decision taken by the Council on August 4, and taking as a basis the afore-mentioned facts, this Special Committee has come to the conclusion that the Meeting of Consultation referred to in the resolution approved by the Council of the Organization on January 11 should now be canceled.

To fulfill the high purposes of the February 24 resolutions, and in view of the opinions expressed at meetings of both the Council and the Special Committee, a final measure that could be adopted at the same time that the Meeting of Consultation is canceled would be to authorize the Committee to continue to offer both Parties all the coopera-

tion they desire until the negotiations now being carried on are concluded. This Committee would subsequently report to the governments, through the Council of the Organization, with respect to the results of its work.

In view of these considerations, this Special Committee has the honor to submit the following draft resolution:

**THE COUNCIL OF THE ORGANIZATION OF AMERICAN STATES  
ACTING PROVISIONALLY AS ORGAN OF CONSULTATION**

HAVING SEEN the report of the Special Committee of the Council Acting Provisionally as Organ of Consultation, presented today,

**RESOLVES:**

1. To cancel the Meeting of Consultation of Ministers of Foreign Affairs that was convoked, in accordance with the Inter-American Treaty of Reciprocal Assistance, by the January 11, 1955 resolution of the Council of the Organization.

2. To terminate the provisional activities of the Council as Organ of Consultation.

3. To retain the Special Committee while the negotiations for the signing of the bilateral agreement provided for in the present Pact of Amity and in Resolution II approved by this Council on February 24, 1955, are in course, so as to enable it to continue to cooperate with the Representatives of Costa Rica and Nicaragua whenever they require such cooperation. The Special Committee shall duly report on this matter to the governments, through the Council of the Organization.

4. To state that it is pleased that the Commission on Investigation and Conciliation has been established by Costa Rica and Nicaragua, and to repeat that it is confident the two Parties will utilize the services of the aforesaid Commission, in accordance with the treaties in force between them.

*August 26, 1955.*

**JOSÉ A. MORA**  
*Ambassador of Uruguay*  
*Chairman of the Committee*

<b>HÉCTOR DAVID CASTRO</b> <i>Ambassador,</i> <i>Representative of</i> <i>El Salvador</i>	<b>JOHN C. DREIER</b> <i>Ambassador,</i> <i>Representative of the United</i> <i>States</i>
<b>JOSÉ R. CHIRIBOGA V.</b> <i>Ambassador,</i> <i>Representative of Ecuador</i>	<b>FERNANDO LOBO</b> <i>Ambassador,</i> <i>Representative of Brazil</i>
<b>GUILLERMO ENCISO VELLOSO</b> <i>Ambassador,</i> <i>Representative of Paraguay</i>	<b>ALBERTO SEPÚLVEDA</b> <i>CONTRERAS</i> <i>Ambassador,</i> <i>Representative of Chile</i>
<b>JORGE ISMAEL SARAVIA</b> <i>Ambassador,</i> <i>Representative of Argentina</i>	<b>ANDRÉS FENOCHIO</b> <i>Representative of Mexico</i>

## THE DEPARTMENT

### Designations

William Barnes as Chief, Foreign Reporting Staff, effective July 31.

## THE FOREIGN SERVICE

### Regulations on Post Differentials and Cost-of-Living Allowances

#### EXECUTIVE ORDER 10636<sup>1</sup>

AMENDMENT OF EXECUTIVE ORDER No. 10000 OF SEPTEMBER 16, 1948, PRESCRIBING REGULATIONS GOVERNING ADDITIONAL COMPENSATION AND CREDIT GRANTED CERTAIN EMPLOYEES OF THE FEDERAL GOVERNMENT SERVING OUTSIDE THE UNITED STATES

By virtue of the authority vested in me by section 207 of the Independent Offices Appropriation Act, 1949, as amended by section 104 of the Supplemental Independent Offices Appropriation Act, 1949 (62 Stat. 1205), and by section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

1. Subsection (a) of section 106 of Executive Order No. 10000 of September 16, 1948,<sup>2</sup> prescribing regulations governing additional compensation and credit granted certain employees of the Federal Government serving outside the United States, is amended to read as follows:

"(a) The following regulations shall govern the payment of foreign post differentials under this Part:

(1) Payments shall begin as of the date of arrival at the post on assignment or transfer and shall end as of the date of departure from the post for separation or transfer, except that in case of local recruitment such payments shall begin and end as of the beginning and the end of employment, respectively.

(2) Payments for periods of leave and of detail shall begin and end as determined in regulations prescribed under section 102 (c) hereof.

(3) Payments to persons serving on a part-time basis shall be pro-rated to cover only those periods of time for which such persons receive basic compensation.

<sup>1</sup> 20 Fed. Reg. 7025.

<sup>2</sup> 13 Fed. Reg. 5453.

(4) Payment shall not be made for any time for which an employee does not receive basic compensation."

2. Subsection (a) of section 208 of the said Executive Order No. 10000 is amended to read as follows:

"(a) The following regulations shall govern the payment of Territorial post differentials and Territorial cost-of-living allowances under this Part:

(1) Payments shall begin as of the date of arrival at the post on assignment or transfer and shall end as of the date of departure from the post for separation or transfer, except that in case of local recruitment such payments shall begin and end as of the beginning and end of employment, respectively.

(2) Payments for periods of leave and of detail shall begin and end as determined in regulations prescribed under section 202 (c) hereof.

(3) Payments to persons serving on a part-time basis shall be pro-rated to cover only those periods of time for which such persons receive basic compensation.

(4) Payment shall not be made for any time for which an employee does not receive basic compensation."

3. Regulations prescribed by the Secretary of State pursuant to section 106 (a) (2) and by the Civil Service Commission pursuant to section 208 (a) (2) shall, so far as practicable, be of uniform application.

This order shall be effective as to each officer or employee affected thereby upon the beginning of his first pay period commencing after November 1, 1955.

*Dwight D. Eisenhower*

THE WHITE HOUSE  
September 16, 1955.

## TREATY INFORMATION

### Current Actions

#### MULTILATERAL

##### Aviation

Convention for unification of certain rules relating to international transportation by air, and additional protocol. Concluded at Warsaw October 12, 1929. Entered into force February 13, 1933 (49 Stat. 3000.)  
Adherence deposited: Venezuela, June 15, 1955.

##### Commerce

International convention to facilitate the importation of commercial samples and advertising material. Dated at Geneva November 7, 1952.<sup>1</sup>

<sup>1</sup> Not in force.

*Ratification deposited (with reservation): Germany, September 2, 1955.*

### Nationality

Convention on the nationality of women. Signed at Montevideo December 26, 1933. Entered into force August 29, 1934.

*Ratification deposited: Nicaragua, August 31, 1955.*

## BILATERAL

### Belgium

Agreement amending annex B of the mutual defense assistance agreement of January 27, 1950, as amended (TIAS 2010, 2878, 3223). Effected by exchange of notes at Brussels August 24 and September 3, 1955. Entered into force September 3, 1955.

### Bolivia

Agreement extending the Army mission agreement of August 11, 1942 (56 Stat. 1583), as extended. Effected by exchange of notes at La Paz August 9 and September 9, 1955. Entered into force September 9, 1955.

### Haiti

Military assistance agreement. Signed at Washington January 28, 1955.

*Entered into force: September 12, 1955 (upon receipt by the United States of notification of ratification by Haiti).*

### Korea

Agreement relating to the loan of 18 additional naval vessels to Korea. Effected by exchange of notes at Seoul August 29, 1955. Entered into force August 29, 1955.

## PUBLICATIONS

### Recent Releases

*For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.*

**The Department of State, 1930-1955: Expanding Functions and Responsibilities.** Pub. 5852. Department and Foreign Service Series 44. 66 pp. 40¢.

A pamphlet on the growth in the Department's functions and responsibilities in the past quarter century.

**Participation of the United States Government in International Conferences, July 1, 1953-June 30, 1954.** Pub. 5776. International Organization and Conference Series I, 28. x, 234 pp. 70¢.

A record of the official participation of the United States Government in multilateral international conferences and meetings of international organizations during the period July 1, 1953-June 30, 1954.

**United States Participation in the United Nations, Report by the President to the Congress for the year 1954.** Pub. 5769. International Organization and Conference Series III, 104. xiii, 277 pp. 70¢.

A comprehensive report by the President to the Congress

for the year 1954 and a review of the ninth year of the United Nations.

**General Agreement on Tariffs and Trade, First Protocol of Rectifications and Modifications to the Geneva, Annecy, and Torquay Schedules.** TIAS 2885. Pub. 5414. 443 pp. \$1.25.

Agreement between the United States and Other Governments—Signed at Geneva October 27, 1951. Entered into force October 21, 1953.

**Visits of Naval Vessels.** TIAS 2965. Pub. 5513. 19 pp. 15¢.

Arrangement between the United States and Cuba. Exchange of notes—Signed at Habana February 11 and 21, 1949. Entered into force February 21, 1949. And extensions and amendment.

**Defense, Facilities Assistance Program.** TIAS 2973. Pub. 5527. 5 pp. 5¢.

Agreement between the United States and Norway. Exchange of notes—Signed at Oslo May 7, 1954. Entered into force May 7, 1954.

**Passport Visa Fees.** TIAS 2977. Pub. 5532. 10 pp. 10¢.

Agreement between the United States and El Salvador. Exchange of notes—Signed at San Salvador December 7 and 15, 1953. Entered into force December 15, 1953.

**Mutual Defense Assistance, Special Program of Facilities Assistance.** TIAS 2998. Pub. 5566. 4 pp. 5¢.

Agreement between the United States and the United Kingdom. Exchange of notes—Signed at London June 8 and 15, 1954. Entered into force June 15, 1954.

**Civil Aviation Mission to Honduras.** TIAS 3005. Pub. 5587. 9 pp. 10¢.

Agreement between the United States and Honduras. Exchange of notes—Signed at Washington March 7, 1952. Entered into force February 15, 1954.

**Technical Cooperation, Project in Developmental Engineering.** TIAS 3007. Pub. 5589. 9 pp. 10¢.

Agreement between the United States and Mexico. Exchange of notes—Dated at México April 6, 1954. Entered into force April 6, 1954.

**Special Economic Assistance.** TIAS 3009. Pub. 5591. 8 pp. 10¢.

Agreement between the United States and Lebanon. Exchange of notes—Signed at Beirut June 11 and 18, 1954. Entered into force June 18, 1954.

**Technical Cooperation.** TIAS 3010. Pub. 5592. 2 pp. 5¢.

Agreement between the United States and Israel—amending agreement of February 26, 1951. Exchange of notes—Signed at Tel Aviv June 21, 1954. Entered into force June 21, 1954.

**American Dead in World War II, Military Cemetery at Madingley.** TIAS 3011. Pub. 5593. 3 pp. and map. 15¢.

Agreement between the United States and the United Kingdom. Exchange of notes—Signed at London June 21, 1954. Entered into force June 21, 1954.

**Technical Cooperation, Application to Eritrea.** TIAS 3026. Pub. 5620. 6 pp. 5¢.

Agreement between the United States and Ethiopia. Exchange of notes—Dated at Addis Ababa May 18 and June 12, 1954. Entered into force June 12, 1954.

<b>Africa.</b> Question of Inscribing Algerian Item on Assembly Agenda (Lodge) . . . . .	546
<b>American Principles.</b> Youth and the Free World (Stassen) . . . . .	535
<b>American Republics.</b> Action Under Rio Treaty in Costa Rica-Nicaragua Case Terminated (text of resolution and report) . . . . .	546
<b>Australia.</b> Meeting of ANZUS Council . . . . .	554
<b>Bulgaria.</b> Eighth Anniversary of Death of Bulgarian Patriot (Hoover) . . . . .	529
<b>Canada.</b> Import Quotas on Oats and Barley . . . . .	543
U.S. and Canada Review Air Routes Established by 1949 Agreement . . . . .	533
<b>China.</b> Chinese Representation in the United Nations (Lodge) . . . . .	544
<b>Congress, The.</b> Relation of Antitrust Policies to Foreign Trade and Investment (Kalijarvi) . . . . .	538
<b>Costa Rica.</b> Action Under Rio Treaty in Costa Rica-Nicaragua Case Terminated (text of resolution and report) . . . . .	546
<b>Disarmament</b> Statement by Henry Cabot Lodge, Jr., U.S. Representative to the United Nations . . . . .	528
The U.S. Position on Disarmament (Wadsworth) . . . . .	530
<b>Economic Affairs</b> Import Quotas on Oats and Barley . . . . .	543
Portugal Frees Certain Imports From Dollar Area . . . . .	542
Relation of Antitrust Policies to Foreign Trade and Investment (Kalijarvi) . . . . .	538
U.S. Airlift Drops Rice to Famine Victims in Laos . . . . .	536
U.S. and Canada Review Air Routes Established by 1949 Agreement . . . . .	533
<b>Foreign Service.</b> Regulations on Post Differentials and Cost-of-Living Allowances (text of Executive order) . . . . .	549
<b>International Information</b> Department Reply to Protest on "Blackboard Jungle" Incident (McIlvaine) . . . . .	537
William H. Jackson Appointed Special Assistant to Secretary . . . . .	529
<b>Italy.</b> Department Reply to Protest on "Blackboard Jungle" Incident (McIlvaine) . . . . .	537
<b>Laos.</b> U.S. Airlift Drops Rice to Famine Victims in Laos . . . . .	536
<b>Mutual Security.</b> Meeting of ANZUS Council . . . . .	534
<b>Near East</b> Proposed Inscription of Cyprus Item on Assembly Agenda (Lodge) . . . . .	545
U.S. Welcomes Pakistan's Adherence to "Northern Tier" Pact . . . . .	534
<b>New Zealand.</b> Meeting of ANZUS Council . . . . .	534
<b>Nicaragua.</b> Action Under Rio Treaty in Costa Rica-Nicaragua Case Terminated (text of resolution and report) . . . . .	546
<b>Pakistan.</b> U.S. Welcomes Pakistan's Adherence to "Northern Tier" Pact . . . . .	534

<b>Portugal.</b> Portugal Frees Certain Imports From Dollar Area . . . . .	542
<b>Presidential Documents.</b> Regulations on Post Differentials and Cost-of-Living Allowances (text of Executive order) . . . . .	549
<b>Publications.</b> Recent Releases . . . . .	550
<b>State, Department of.</b> Designations . . . . .	549
<b>Treaty Information.</b> Current Actions . . . . .	549
<b>United Nations</b> Chinese Representation in the United Nations (Lodge) . . . . .	544
Entering the Second Decade (Dulles) . . . . .	523
Proposed Inscription of Cyprus Item on Assembly Agenda (Lodge) . . . . .	545
Question of Inscribing Algerian Item on Assembly Agenda (Lodge) . . . . .	546
The U.S. Position on Disarmament (Wadsworth) . . . . .	530

## Name Index

Barnes, William . . . . .	549
Butz, Earl L. . . . .	543
Dulles, Secretary . . . . .	523
Eisenhower, President . . . . .	543, 549
Hoover, Herbert, Jr. . . . .	529
Jackson, William H. . . . .	529
Kalijarvi, Thorsten V. . . . .	538
Lodge, Henry Cabot, Jr. . . . .	528, 544, 545, 546
McIlvaine, Robinson . . . . .	537
Stassen, Harold E. . . . .	535
Wadsworth, James J. . . . .	530

### Check List of Department of State Press Releases: September 19-25

Releases may be obtained from the News Division, Department of State, Washington 25, D. C.

Press release issued prior to September 19 which appears in this issue of the BULLETIN is No. 545 of September 15.

No.	Date	Subject
553	9/19	U.S.-Canadian civil aviation meeting.
554	9/19	W. H. Jackson appointment.
555	9/20	Trade agreement negotiations (see BULLETIN of 9/26).
*556	9/20	Educational exchange.
557	9/21	McIlvaine letter on "Blackboard Jungle."
558	9/22	Dulles: "Entering the Second Decade."
559	9/22	Hoover: anniversary of Petkov death.
*560	9/22	Visit of Foreign Minister Brentano.
561	9/22	U.S.-Canadian civil aviation meeting.
*562	9/23	Revised Hoover-Hollister itinerary.
563	9/23	Freeing of imports into Portugal from dollar area.
†564	9/23	Morton: "U.S. Program for Refugee Aid."
565	9/24	ANZUS Council Meeting.
566	9/24	Pakistan adherence to Northern Tier pact.

\*Not printed.

†Held for a later issue of the BULLETIN.



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Department of State publications on the United Nations . . .

***Charter of the United Nations Together With the Statute  
of the International Court of Justice***

Signed at the United Nations Conference on International  
Organization, San Francisco, Calif., June 26, 1945.

Publication 2353

20 cents

***United States Participation in the United Nations***

Report by the President to the Congress for the year 1954.

Publication 5769

70 cents

***Tenth Anniversary of the United Nations***

Address by President Eisenhower at the Tenth Anniversary  
Meeting of the United Nations, held at San Francisco, Calif.,  
June 20-26, 1955.

Publication 5942

10 cents

***You and the United Nations***

Henry Cabot Lodge, Jr., U.S. Representative to the United  
Nations, answers your questions.

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